

**BOARD OF SELECTMEN
MINUTES OF MEETING
OCTOBER 25, 2016**

In attendance were Chairman Carl F. Kowalski; Vice Chairman Daniel L. Salvucci; Clerk Scott J. Lambiase; Member Brian J. Bezanson; and Town Administrator Francis J. Lynam. Chairman Kowalski opened the meeting at 7:00 p.m.

Because members of the Boy Scouts were in attendance for the meeting, Chairman Kowalski asked if a member of the scouts would like to lead the Pledge of Allegiance and Anthony Cappelletti, Christopher Cappelletti and Tyler Dillon came forward to do so. Following the Pledge of Allegiance, Chairman Kowalski thanked the boys for their help.

Chairman Kowalski announced the meeting is being recorded and televised by WHCAC.

Chairman Kowalski called for a moment of silence during which he asked everyone to keep in their thoughts and prayers the families of those who lost their lives in a tragic accident that took place in Middleboro last evening.

Mr. Salvucci **MOVED** to approve bill and payroll warrants. Second Mr. Bezanson, so voted 4-0.

Mr. Salvucci **MOVED** to accept correspondence in the Read File. Second Mr. Bezanson, so voted 4-0.

Chairman Kowalski opened public forum and no one in attendance came forward to address the Board.

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on Tuesday, September 27, 2016. Second Mr. Bezanson, so voted 4-0.

Mr. Salvucci **MOVED** to accept the resignation of Robert Titterington from the position of Member of the Council on Aging, effective October 1, 2016. Second Mr. Bezanson, so voted 4-0.

Mr. Salvucci **MOVED** to appoint Thomas Ford to the position of Member of the Council on Aging for a three-year term, through June 30, 2019, in order to fill an existing vacancy. Second Mt. Bezanson, so voted 4-0.

Mr. Lynam advised that he has been meeting with companies regarding net metering, which would provide the town with a discount on the purchase of energy. Mr. Lynam stated that he has yet to be presented with a suitable proposal; however, he would like to receive authorization from the Board of Selectmen to enter into a net metering agreement in the event that an acceptable agreement is presented to him. Mr. Lynam noted that most agreements are for a period of 20 years and that this would be strictly for municipal power consumption. Mr.

Salvucci **MOVED** to authorize the Town Administrator to enter into a Net Metering agreement that he finds acceptable. Second Mr. Bezanson, so voted 4-0.

Mr. Salvucci **MOVED** to approve the request of Veterans' Services Officer Thomas McCarthy for a Reserve Fund Transfer in the amount of \$1,500.00 for expenses related to the 2016 Tri-Town Veterans Day Parade. Second Mr. Bezanson, so voted 4-0.

Mr. Lynam advised that the Board must vote on a resolution in connection with the sale of the property at 35 East Avenue as the closing is scheduled to take place tomorrow. Mr. Salvucci **MOVED** to vote in favor of the following resolution:

RESOLVED that in connection with the vote of the Board of Selectmen on September 13, 2016, to authorize the sale by auction of the property located at 35 East Avenue, Whitman, MA and the authorization of the Town Administrator to sign a contract between the Town of Whitman and Paul E. Saperstein Co., Inc., to conduct said sale, the Board of Selectmen confirms the authority of the Town Administrator to sign the Memorandum of Sale for said property, and further authorizes the Town Administrator to sign on behalf of the Board of Selectmen and Town of Whitman, any and all documents necessary to complete the sale and transfer of title of said property to the buyer.

Second Mr. Bezanson, so voted 4-0.

Chairman Kowalski announced that a continued hearing will now take place in connection with the status of the Class II Auto Dealer's License held by Diesel Trucks (David Federico) on the premises located at 575 Bedford Street. Mr. Federico and Attorney E. Pamela Salpoglou came forward to address the Board. Ms. Salpoglou provided the Board with a copy of an edited version of an updated site plan. The plan depicts 59 spaces which includes handicap and customer parking. However, Attorney Salpoglou stated that Mr. Federico would like to modify the plan by placing space numbers 39 through 44 along the stone wall at the rear of the property. He is also proposing to remove 10 vehicle display spaces and 4 customer parking spaces which would bring the total number of spaces on the lot to 45. Attorney Salpoglou advised the Board that a revised site plan could be made available within the next week.

Building Commissioner/Zoning Enforcement Officer Robert Curran advised the Board that he visited the site earlier today and there are currently 45 vehicles on the lot. Mr. Federico has made some effort to clean the lot; however, Mr. Curran noted that after inspecting the property today, as well as several other times during the previous 6 months, he has determined that little has changed. Mr. Curran also stated that this is the first opportunity that he has had to review the site plan that is being presented here this evening.

Attorney Salpoglou proposed that the engineer be given the opportunity to provide a revised site plan which could then be submitted to Mr. Curran for his review. This would eliminate the need for a continuance of this hearing. Mr. Curran agreed, and stated that if the plan is acceptable to him, he will suggest that Mr. Federico place the vehicles on the lot as depicted in the site plan. He will then inspect the property and advise the Board when Mr. Federico is ready to move forward with the hearing.

Mr. Salvucci asked Mr. Federico how many of the vehicles on the lot are actually saleable. Mr. Federico answered that all of the vehicles are. Mr. Salvucci then asked if all of the vehicles will pass inspection. Mr. Federico stated that all of the vehicles will pass inspection after they have been serviced. Mr. Salvucci was not satisfied with that answer, stating that most people in the

business of selling vehicles do not display them for sale on the lot unless they will pass a safety inspection. Mr. Salvucci then asked where all of the other vehicles are that were removed from the lot. Mr. Federico stated that he is paying to store them off site. Mr. Salvucci then stated that the vehicles remaining on the property are not displayed as vehicles for sale should be and, although some improvements have been made, he still is not satisfied with the appearance of the property.

Mr. Bezanson suggested the Board accept Mr. Curran's recommendation to allow Mr. Federico to set up the lot as depicted in a revised site plan. Chairman Kowalski asked how much time would be needed. Mr. Curran suggested granting an extension of 30 days. He also stated that if he is satisfied with the outcome, he does not feel the need for Mr. Federico to return to the Board. Mr. Bezanson **MOVED** to continue the hearing in connection with the status of the Class II Auto Dealer's License held by Diesel Trucks (David Federico) on the premises located at 575 Bedford Street for 30 days. In the event that the owner and Mr. Curran reach a satisfactory resolution, the hearing is terminated. Otherwise, the licensee will be required to appear to consider further action on the license. Second Mr. Lambiase, so voted 3-1 (Mr. Salvucci opposed).

Mr. Lynam announced that the cost to repair the sewer force main was \$343,000. Permission was received from the Department of Revenue to deficit spend and an article will be placed on the special Town Meeting warrant to transfer the funds from sewer retained earnings.

Mr. Lynam advised the Board that the Recreation Commission has requested permission to use the auditorium on Saturday, December 10, 2016, in order to host a Christmas event. Mr. Bezanson **MOVED** to allow the Recreation Commission to use the Town Hall Auditorium on Saturday, December 10, 2016, in order to conduct a Christmas event. Second Mr. Salvucci, so voted 4-0.

Mr. Lynam announced that the Collins Center for Public Management will begin a personnel survey and assessment on November 9, 2016. Job descriptions, positions and comparable salaries will be evaluated.

Mr. Lynam announced the Town received \$63,117.35 as reimbursement related to storm expenses in February.

Mr. Lynam announced that word was received from the District Traffic Operations Section of the Mass. Department of Transportation regarding the Town's request for a heavy commercial vehicle exclusion on Washington Street. The District has reviewed the request and forwarded it to the Boston traffic section for a final decision.

Mr. Lynam stated that due to the retirement of a police sergeant several months ago, a vacancy was created within the department. Chief Benton has requested that the Board accept Officer Justin E. Burns as a transfer. Following a brief discussion, Mr. Salvucci **MOVED** to accept Officer Justine E. Burns as a transfer subject to the approval of the Hingham Police Chief and Civil Service. Second Mr. Bezanson, so voted 4-0.

Mr. Bezanson reminded everyone that early voting has begun and will continue through November 4th. Early voting hours can be found on the town's website or by calling the Town Clerk's office. For those who wish to wait and vote on November 8th, polling hours will be from 7:00 a.m. until 8:00 p.m.

Chairman Kowalski stated that he took the opportunity to vote early; however, it raised some questions about the process. He feels that it is not a secret ballot if you are signing your name on the envelope; and asked when the envelopes from all of the early voters will be opened. Mr. Lynam answered that the envelopes will be opened the day of the election in the precinct that you live in.

At 7:35 p.m. Mr. Salvucci **MOVED** into **EXECUTIVE SESSION** in accordance with the M.G.L., Chapter 30A, Section 21a, (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Second Mr. Bezanson. Roll call vote revealed: Mr. Bezanson – yes; Mr. Lambiase – yes; Mr. Salvucci – yes; and Chairman Kowalski – yes. So voted 4-0. Chairman Kowalski declared that having this meeting will have a detrimental effect on the bargaining or litigating position of the public body. The meeting will reconvene in Open Session only for the purpose of adjourning the meeting.

At 8:00 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. Second Mr. Bezanson, so voted 4-0.

Scott J. Lambiase, Clerk